Monday Evening

Dear Ellsworth,

Judge Hoar charged the grand jury to-day in favor of the constitutionality of the register bill - so that we have nothing to expect from his policy in favor of freedom. He is also clear that the attack on the Court House was a riot

Durant thinks, and I agree with him, that Judge Hoar believes not by the case, if we can avoid it. He will rule all the law strictly against you, and will not allow any more address to the jury to pass unnoticed in his charge. It is said, that he will now this term d

the next, and accordingly we had better (if Sanger, if possible, to consent to continue the case till September. - There are other reasons besides this, which render it ~~probable~~ important to postpone the case -

Dunphy also wishes his name not to be mentioned in connection with the case at present, though he will advise about it. I have already told one person out of the family of his being retained, but we may as well follow his advice & say no more about it at present. - On Monday, you can see him, & it will not be necessary for you to see him before that day.

The Court comes in at 9 o'clock - I should not think you would be detained there long -- If indicted (& will, you can waive the reading, plead not guilty - & then we can see what course Sanger proposes to take - It is in his power to call up the case at any time, and unless you can show good cause to the contrary, they must bail when he wishes

Still he is a good, gentlemanly, man, & I do not think, disposed at all to press matters too sharply -

Durant said, it would not be necessary for him to answer your note, as I should write

Truly yr
W. J. B.

Ms. B. 1.22 (66)